

Richard J. Daley, Jr., Chairman  
Herbert F. Foster, Jr.

Orsola Susan Fontano  
Salvatore Querusio  
Richard Rossetti  
Marlene Smithers, (Alt.)  
T.F. Scott Darling, III, Esq., (Alt.)

### AGENDA

**Aldermanic Chambers, Second Floor, City Hall, 93 Highland Avenue,  
Wednesday, October 5, 2005  
Executive Session 5:45 P.M.  
DECISIONS 6:00 P.M. followed by New HEARINGS**

*Assistant City Solicitor, David Shapiro has requested to appear before the Board in executive session with respect to pending litigation regarding 20-60 Howard Street.*

**20-60 Howard St:** The Applicant & Owner, Davis Lofts, LLC sought an administrative appeal from the decision of the Superintendent of Inspectional Services to deny the request for building permits per court order.

*Herbert Foster made a motion to uphold the decision of the Building Inspector. Richard Rossetti seconded the motion. Vote taken (5-0) with Richard Daley, Herbert Foster, Susan Fontano, Sal Querusio and Richard Rossetti voting to approve the motion. Motion carried, building inspectors decision upheld.*

**1 Davis Sq:** The Applicant & Owner, 460 Somerville Avenue Trust sought a special permit to alter a non-conforming structure (SZO §4.4.1), a special permit with site plan review (SZO §7.11.9.5.c) to establish a retail store of greater than 10,000 sq. ft., a special permit with site plan review (SZO §7.11.6.3.b) to establish a commercial health and fitness club of greater than 10,000 sq. ft., a special permit (SZO §9.13.e) for shared loading facilities and a variance for failure to provide twenty eight (28) parking spaces (SZO §9.5). This application is also subject to a Project Mitigation Contribution under SZO §15.2. CBD zone. *The Applicant requested to continue the application to October 19, 2005. HF motion to continue, RR seconded the motion, vote taken (5-0) RD, HF, SF, RR and SD with SQ recused.*

**312-314 Beacon St:** Applicants & Owners, Robert Gillig & Christine Cuttitta sought a special permit (S.Z.O. § 7.11.1.1.c) to build a single family dwelling on a lot with two existing two-family structures. RC zone. *The Board voted to approve the petition. SF motion to approve with conditions, SQ seconded the motion, vote taken (5-0) RD, SF, SQ, RR and SD.*

**191 Highland Ave:** Applicant & Owner Joseph Sater sought a special permit to alter a non-conforming structure (SZO §4.4.1) to relocate an elevator and enlarge an existing egress door, a special permit for shared parking (SZO §9.13.e) to use parking spaces on three other lots located on Belmont St & a revision to a previously issued special permit (SZO §5.3.8). RC & RA zones. *The Board vote on September 21, 2005 to allow the Applicant to continue the application to October 19, 2005.*

**212 Elm St:** Applicant: Peter Creyf; Owner: APCA Elm Street H, LLC. Under §4.4.1 and §9.13.e of the SZO, the Applicant sought to convert an existing office to a restaurant with 48 seats with shared parking. CBD zone. *The Board voted to deny the petition. SF motion to deny, SQ seconded the motion, vote taken (5-0) RD, SF, SQ, RR and SD.*

**212 Elm St:** Applicant: Peter J. Romero; Owner: APCA Elm Street H, LLC. Under §4.4.1 and §9.13.e of the SZO, the Applicant sought to convert an existing office bld. to a restaurant with 111 seats with shared parking. CBD zone. *The Board voted to deny the petition. SF motion to deny, SQ seconded the motion, vote taken (5-0) RD, SF, SQ, RR and SD.*

**212 Elm St:** Applicant: Paradigm Properties; Owner: APCA Elm Street H, LLC. The Applicant sought a special permit to alter a non-conforming structure (SZO §4.4.1) to construct new exit doors, alter existing window openings and build a new metal canopy, and a special permit for shared parking (§9.13.e). CBD zone. *The Board voted to deny the petition. SF motion to deny, SQ seconded the motion, vote taken (5-0) RD, SF, SQ, RR and SD.*

**99 Beacon St:** Applicant & Owner, Frank Roselli sought a special permit with design review (S.Z.O. §7.11.10.2.1.a) to change the use of a building from retail to a café and a special permit for modification of parking requirements (§9.13.a) for failure to provide parking. RC zone. *The Board voted to deny the petition. SF motion to deny, SQ seconded the motion, vote taken (5-0) RD, SF, SQ, RR and SD.*

**199 Summer St:** Applicant & Owner: Steve Aloise sought a special permit to expand a non-conforming use (SZO §4.5.3) and a special permit with site plan review (§7.3) to convert former commercial space into 2 residential units on a lot with an existing 5-family dwelling. The Applicant also seeks a special permit to alter a non-conforming structure (§4.4.1) to alter the front exterior stairway, decks and to extend the existing roofline. RB zone. *The Applicant requested to withdraw the petition Without Prejudice. The Board voted to allow the request. SF motion to allow the request, SQ seconded the motion, vote taken (5-0) RD, SF, SQ, RR and SD.*

**85 Cross St:** Applicant & Owner Wilfredo Canenguez, Agent, Aldo Martinez sought a Special Permit with Site Plan Review to create two principle structures (SZO §7.2) and two variances (SZO §8.5.H) minimum side yard setback, (SZO §8.5.I) minimum rear yard setback to convert an existing rear garage to one dwelling unit. RB zone. *The Agent for the Applicant, Attorney Richard DiGirolamo, was recently retained and requested to continue the application to October 19, 2005. HF motion to continue, SQ seconded the motion, vote taken (5-0) RD, SQ, SF, RR and MS, with HF recused Continued to October 19, 2005.*

**280 Broadway:** Applicant: Fred Camerato, Owner: Camber Associates, LLC. The Applicant sought a special permit with site plan review to construct two 2-family dwellings on a lot with an existing 6-unit dwelling (SZO §7.11.1.d). BA zone. *The Applicant requested to continue the application to November 2, 2005. HF motion to continue, RR seconded the motion, vote taken (5-0) RD, HF, SF, SQ and RR. Continued to November 2, 2005.*

**33 Bromfield Rd:** Applicant & Owner, William Duffy sought a special permit to make alterations and improvements to the existing nonconforming three-family dwelling (SZO §4.4.1). RA zone. *The Board voted to approve the petition. HF motion to approve with conditions, SQ seconded the motion, vote taken (5-0) RD, SF, SQ, RR and SD.*

**6 Campbell Park Place:** Applicant & Owner, Eric Bornstein sought a special permit (SZO §7.11.4.h) to convert an existing garage into an artist's workshop. RB zone. *The Board voted to approve the petition. SF motion to approve with conditions, SQ seconded the motion, vote taken (5-0) RD, SF, SQ, RR and SD.*

**7 Garfield Ave:** Applicants & Owners, Charles F. & Jean P. Roderick sought a special permit for multiple dwellings (SZO §7.11.1.c) to add a dwelling unit to an existing four-family dwelling and a special permit for parking on a separate lot (§9.13.d). CBD/IA zones. *The Board opened the hearing and the Applicant and Agent presented testimony. The Board voted to continue the hearing. SF motion to continue, RR seconded the motion, vote taken (5-0) RD, SF, SQ, RR and SD with HF recused. Continued to October 19, 2005.*

**331-333 Broadway:** Applicant, Sprint Spectrum, LP, Owner, Princeton Realty Trust. The Applicant sought a special permit under §7.11.15.3 to build a roof top wireless telecommunications facility. BA zone. *The Board voted to approve the petition. HF motion to approve with conditions, RR seconded the motion, vote taken (5-0) RD, HF, SF, SQ, and RR.*

**29 Conwell St:** Applicant, Deborah Marya Axner and Owners, Mark Niedergang and Deborah M. Axne sought a special permit to alter a non-conforming structure (SZO §4.4.1) to build an addition to the third floor of an existing two-family dwelling. RA zone. *The Board voted to approve the petition SF motion to approve with conditions, SQ seconded the motion, vote taken (5-0) RD, HF, SF, SQ, and RR.*

**41-43 Magnus Ave:** Applicant & Owner, Steven J. Luis sought a special permit to alter a non-conforming structure (SZO §4.4.1) and a variance from minimum lot area per dwelling unit (§8.5.B) to build a third story and change an existing 2-family dwelling into a 3-family dwelling. RB zone. *The Board voted to deny the petition. HF motion to deny, RR seconded the motion, vote taken (5-0) RD, HF, SF, SQ, and RR.*

**205 Washington St:** Applicant, Cafasso Properties, LLC & Owner, Martin Cafasso sought a special permit to alter a non-conforming structure (SZO §4.4.1) to add new patio doors, roof decks, penthouses, reconfigure the windows and entryway of an existing seven family dwelling. RB zone. The Board opened the hearing, the Applicant and Agent presented testimony. *The Board voted to continue the hearing to October 19, 2005. HF motion to continue, seconded by RR, vote taken (5-0) RD, HF, SF, SQ, and RR. Continued to October 19, 2005.*